

Norman C. Kleinberg
Steven A. Hammond
Daniel H. Weiner
Jeffrey R. Coleman
Peter A. Sullivan
Amera Z. Chowhan
Jason C. Benton

HUGHES HUBBARD & REED LLP
One Battery Park Plaza
New York, New York 10004
(212) 837-6000

Attorneys for Defendants

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

REINO DE ESPAÑA on its own behalf, and
as trustee,

Plaintiff,

03 CV 3573 (LTS/RLE)

-against-

AMERICAN BUREAU OF SHIPPING, ABS
GROUP OF COMPANIES, INC., ABSG
CONSULTING INC. f/k/a ABS MARINE
SERVICES INC.,

Defendants.

DECLARATION OF QIU SHAOHUA

Qiu Shaohua, declares pursuant to the criminal laws governing perjury in the United States and the People's Republic of China:

1. I was the Safety and Quality Dept. manager of the COSCO Guangzhou Marine Repair Co., Ltd during April and May 2001. I make this Declaration on the basis of my personal knowledge of the records practices in the COSCO Guangzhou Marine Repair Co., Ltd during the repair of the vessel Prestige in April and May 2001.

2. Attached as Exhibit 1 to this Declaration is a true and correct copy of a "Work Done Specification" that is contained in the files of the COSCO Guangzhou Marine Repair Co., Ltd. COSCO Guangzhou Marine Repair Co., Ltd creates a Work Done Specification to list all the repairs made and replacement material and equipment installed on a vessel by the Shipyard. Work Done Specifications regularly are created at the time that the repair work is conducted. It is the practice of COSCO Guangzhou Marine Repair Co., Ltd to enter in a true and accurate manner all the material used in servicing the vessel in the Work Done Specification. Material such as replacement steel pieces will be listed by dimension, including length, width and thickness etc.

3. The Work Done Specification attached at Exhibit 1 is a Work Done Specification that was created in April and May 2001 at the time of the repair of the vessel Prestige. It was created by employees of COSCO Guangzhou Marine Repair Co., Ltd whose job was to prepare true and accurate listings and descriptions of the work conducted on the repaired vessel. The Work Done Specification is submitted to vessel owners for confirming by their signature after it is created, and it will be the foundation of final invoice. The Work Done Specification is created using the Shipyard representative's actual measurement records for the replacement of structures on the vessel.

4. The Work Done Specification was kept in the ordinary course of the business of the COSCO Guangzhou Marine Repair Co., Ltd.

5. Attached as Exhibit 2 is a true and correct copy of the original "Report on Inspection of Marine Repairing (article: HULL)" that had been submitted to the Captain of vessel Prestige by the representative of COSCO Guangzhou Marine Repair Co., Ltd before this vessel departure. And both of the vessel owner and COSCO Guangzhou Marine Repair Co., Ltd has kept the same

copies. This Report was created in the ordinary course of business by members of the Safety and Quality Department by their observation and other reference in the shipyard. The Report on Inspection of Marine Repairing is to be read together with the "Work Done Specification" to determine the details of the repair work done and the steel dimensions used. This document is created during the course of repair work, and it is filed and maintained in the ordinary course of the business in shipyard. It was a regular practice of shipyard to create and maintain Reports on Inspection of Marine Repairing.

I declare under the criminal penalties of perjury under the laws of the United States and the People's Republic of China that the foregoing is true and correct.

Executed on February 25, 2010 in China.

A handwritten signature in black ink, appearing to read "Qiu Shaohua", is written over a horizontal line.

Qiu Shaohua

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing DECLARATION OF QUI
SHAOHUA has been sent, on this first day of March 2010, to the following by hand and by
electronic means:

Brian D. Starer, Esq.
Juan Anduiza, Esq.
Alan Heblack, Esq.
Squire, Sanders & Dempsey, L.L.P.
30 Rockefeller Plaza
New York, NY 10112

ATTORNEYS FOR PLAINTIFF REINO DE ESPAÑA

/s/ Amera Z. Chowhan

Exhibit 1

Filed under seal

Exhibit 2

Filed under seal